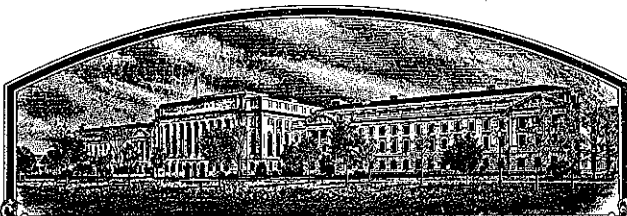


No.

9500069



# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Sunderman Breeding, Inc.*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE KNOWN BY THE VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF SEEDS SPECIFIED BY THE OWNER OF THE RIGHTS. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT

'Sunstar Promise'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirty-first day of July in the year of our Lord one thousand nine hundred and ninety-seven.

Attest:

*Marshall A. Hunt*

Commissioner  
Plant Variety Protection Office  
Agricultural Marketing Service

*W. J. Richardson*  
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

# APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions on reverse)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate)		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NO.	3. VARIETY NAME
Sunderman Breeding Inc.		SDM 406	Sunstar Promise
4. ADDRESS (street and no. or R.F.D. no., city, state, and ZIP)		5. PHONE (include area code)	<b>FOR OFFICIAL USE ONLY</b> PVPO NUMBER 9500069 F I L I N G Date 1/3/95 Time <input type="checkbox"/> A.M. <input checked="" type="checkbox"/> P.M. F E E S Filing and Examination Fee: \$ 2325.00 Date 1/3/95 R E C E I V E D Certificate Fee: 300.00 Date 07/01/97
3754 North 2700 East Twin Falls ID 83301		208 733 0902	
6. GENUS AND SPECIES NAME	7. FAMILY NAME (Botanical)		
Triticum aestivum	Granineae		
8. CROP KIND NAME (Common Name)	9. DATE OF DETERMINATION		
Soft white spring wheat	1990		
10. IF THE APPLICANT NAMED IS NOT A "PERSON," GIVE FORM OF ORGANIZATION (Corporation, partnership, association, etc.)			
Chapter S corporation			
11. IF INCORPORATED, GIVE STATE OF INCORPORATION		12. DATE OF INCORPORATION	
Idaho		June 25 1991	

13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS

Doanld Sunderman  
3754 North 2700 East  
Twin Falls ID 83301

PHONE (include area code):

14. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow INSTRUCTIONS on reverse)

- a. ☒ Exhibit A, Origin and Breeding History of the Variety.
- b. ☒ Exhibit B, Novelty Statement.
- c. ☒ Exhibit C, Objective Description of Variety.
- d. ☐ Exhibit D, Additional Description of Variety.
- e. ☒ Exhibit E, Statement of the Basis of Applicant's Ownership.
- f. ☒ Seed Sample (2,500 viable untreated seeds). Date Seed Sample mailed to Plant Variety Protection Office 12/26/94
- g. ☒ Filing and Examination Fee (\$2,150) made payable to "Treasurer of the United States."

15. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See section 83(a) of the Plant Variety Protection Act.)

☒ YES (If "YES," answer Items 16 and 17 below) ☐ NO (If "NO," skip to item 18 below)

16. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?

☒ YES ☐ NO

17. IF "YES" TO ITEM 16, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED?

☒ FOUNDATION ☒ REGISTERED ☐ CERTIFIED

18. DID THE APPLICANT(S) PREVIOUSLY FILE FOR PROTECTION OF THE VARIETY IN THE U.S.?

☐ YES (If "YES," through ☐ Plant Variety Protection Act ☐ Patent Act. Give date: \_\_\_\_\_.)  
☒ NO

19. HAS THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES?

☐ YES (If "YES," give names of countries and dates)  
☒ NO

20. The applicant(s) declare(s) that a viable sample of basic seeds of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in section 41, and is entitled to protection under the provisions of section 42 of the Plant Variety Protection Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

SIGNATURE OF APPLICANT [Owner(s)]	CAPACITY OR TITLE	DATE
Donald Sunderman	President	12/24/94
SIGNATURE OF APPLICANT [Owner(s)]	CAPACITY OR TITLE	DATE

## 14 Exhibit A Origin and Breeding History of the Variety

Sunstar Promise resulted from the selection and bulk of an F<sub>3</sub> line selected from a multiple cross bulk of seed from crosses made in 1987. Centennial was used as one of the parents in the majority of crosses. The second parents used were Fielder, Fieldwin, Owens, Treasure and Penawawa. After analyzing the pattern of glutenin alleles of the parents, the only crosses that would result in progeny with the pattern of glutenin alleles found in Sunstar Promise are Centennial/ Owens or 2\* Centennial/ Owens, both of which were included in the bulk. The glutenin pattern of Sunstar Promise is 1A- Null, 1B-7+8 and 1D-2+12. Centennial is Null, 13+16 and 2+12. Owens has a profile of Null, 7+8, and 2+12.

Mutation for soft tan seeds in Sunstar Promise, which was reselected for white seeds in 1993 has continued at the rate of approximately 1 per pound per generation. Continuous reselection through head rowing is required to keep the variety within certification standards. The variety has shown stability for all other phenotypic characters for four generations.

## 14 B Novelty Statement

Sunstar Promise was susceptible to stem rust races found near Pulman WA in 1993. Penawawa was resistant.

Sunstar Promise is moderately resistant to the Hessian Fly races found in northern Idaho. Penawawa and Centennial are susceptible.

Seeds of Sunstar Promise are ovate in shape but are slightly longer and thinner than those of Penawawa and Centennial.

Sunstar Promise has bands 7+8 at the 1B locus. Dr Ed Souza has found Penawawa has bands 7+9 and Centennial has bands 13+16 at that locus.

Both are "most similar"  
per phone conversation  
1 Jun 1995 LAA

## VARIETIES OR SELECTIONS TESTED USING PAGE GEL ELECTROPHORESIS

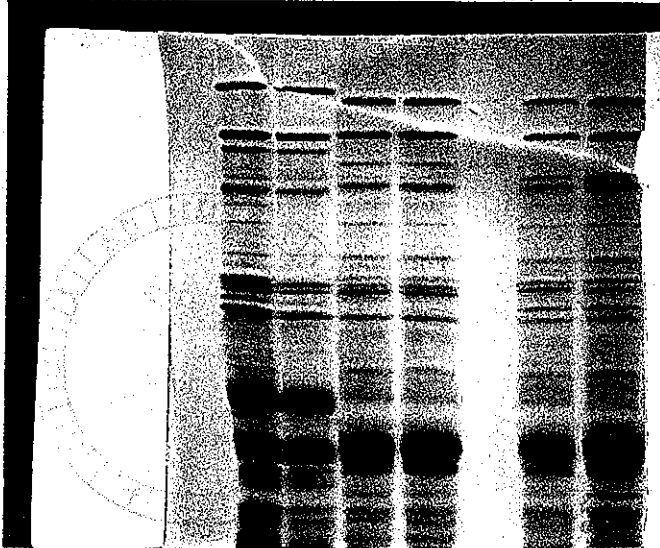
LANE

1	CENTENNIAL	
2	"	
3	SDM 406	Sunstar Promise
4	"	
5	BLANK	
6	PENAWAWA	
7	"	
8	STEPTOE	
9	"	
10	SDM 203 B	Sunstar Double
11	"	
12	SDM 306 B	Sunstar Prince
13	"	
14	WESENBERG'S RELEASE	Eight-Twelve
15	"	
16	CHINESE SPRING	

GEL #2

12/05/94

LANES 1-7



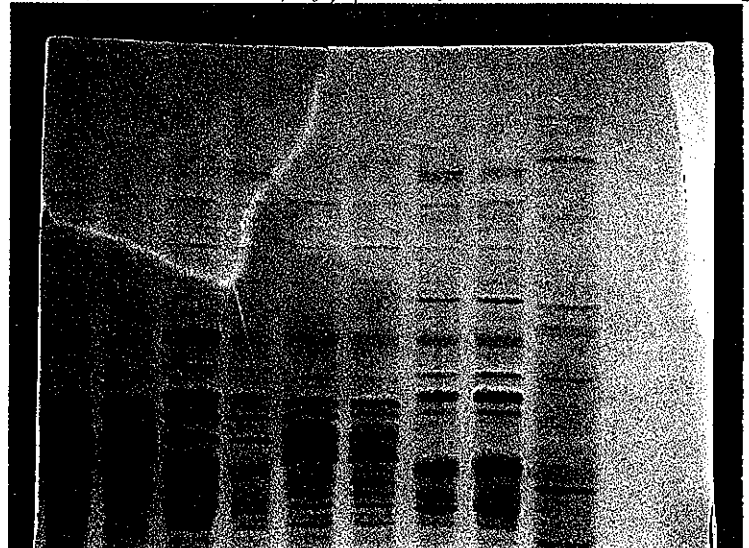
1 2 3 4 5 6 7

GEL #2

12/05/94

LANES 8-16

Vic



8 9 10 11 12 13 14 15 16

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK AND SEED DIVISION  
BELTSVILLE, MARYLAND 20705

EXHIBIT C  
(Wheat)

## OBJECTIVE DESCRIPTION OF VARIETY

INSTRUCTIONS: See Reverse.

WHEAT (TRITICUM SPP.)

NAME OF APPLICANT(S)

Sunderman Breeding Inc.

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)  
3754 North 2700 East

Twin Falls ID 83301

FOR OFFICIAL USE ONLY

PVPO NUMBER

9500069

VARIETY NAME OR TEMPORARY  
DESIGNATION

Sunstar Promise

Place the appropriate number that describes the varietal character of this variety in the boxes below.  
Place a zero in first box (e.g. 089 or 09 ) when number is either 99 or less or 9 or less.

## 1. KIND:

1 1 = COMMON 2 = DURUM 3 = EMMER 4 = SPELT 5 = POLISH 6 = POULARD 7 = CLUB

## 2. TYPE:

1 1 = SPRING 2 = WINTER 3 = OTHER (Specify) 1 1 = SOFT 2 = HARD 3 = OTHER (Specify)

1 1 = WHITE 2 = RED 3 = OTHER (Specify)

## 3. SEASON - NUMBER OF DAYS FROM EMERGENCE TO:

FIRST FLOWERING  LAST FLOWERING

## 4. MATURITY (50% Flowering):

02 NO. OF DAYS EARLIER THAN 7 1 = ARTHUR 2 = SCOUT 3 = CHRIS  
01 NO. OF DAYS LATER THAN 8 4 = LEMHI 5 = NUGAINES 6 = LEEDS  
7 = Penawawa 8 = Centennial

## 5. PLANT HEIGHT (From soil level to top of head):

86 CM. HIGH 7 = Penawawa \* Centennial

05 CM. TALLER THAN 7  
05 CM. ~~SHORTER~~ TALLER THAN 7 1 = ARTHUR 2 = SCOUT 3 = CHRIS  
4 = LEMHI 5 = NUGAINES 6 = LEEDS

## 6. PLANT COLOR AT BOOTING (See reverse):

2 1 = YELLOW GREEN 2 = GREEN 3 = BLUE GREEN

## 7. ANTHOR COLOR:

1 1 = YELLOW 2 = PURPLE

## 8. STEM:

2 Anthocyanin: 1 = ABSENT 2 = PRESENT 2 Waxy bloom: 1 = ABSENT 2 = PRESENT

1 Hairiness of last internode of rachis: 1 = ABSENT 2 = PRESENT 1 Internodes: 1 = HOLLOW 2 = SOLID

03 NO. OF NODES (Originating from node above ground) 16 CM. INTERNODE LENGTH BETWEEN FLAG LEAF AND LEAF BELOW

## 9. AURICLES:

2 Anthocyanin: 1 = ABSENT 2 = PRESENT 1 Hairiness: 1 = ABSENT 2 = PRESENT

## 10. LEAF:

2 Flag leaf at booting stage: 1 = ERECT 2 = RECURVED 3 = OTHER (Specify) 2 Flag leaf: 1 = NOT TWISTED 2 = TWISTED

1 Hairs of first leaf sheath: 1 = ABSENT 2 = PRESENT 2 Waxy bloom of flag leaf sheath: 1 = ABSENT 2 = PRESENT

11 MM. LEAF WIDTH (First leaf below flag leaf) 26 CM. LEAF LENGTH (First leaf below flag leaf):

## 11. HEAD:

<input type="checkbox"/> 1	Density: 1 = LAX    2 = DENSE	<input type="checkbox"/> 2	Shape: 1 = TAPERING    2 = STRAP    3 = CLAVATE 4 = OTHER (Specify) _____		
<input type="checkbox"/> 4	Awnedness: 1 = AWNLESS    2 = APICALLY AWNLETED    3 = AWNLETED    4 = AWNED				
<input type="checkbox"/> 1	Color at maturity: 1 = WHITE    2 = YELLOW    3 = PINK    4 = RED 5 = BROWN    6 = BLACK    7 = OTHER (Specify): _____				
<input type="checkbox"/> 0	<input type="checkbox"/> 8	CM. LENGTH	<input type="checkbox"/> 1	<input type="checkbox"/> 5	MM. WIDTH

## 12. GRAINES AT MATURITY:

<input type="checkbox"/> 3	Length: 1 = SHORT (CA. 7 mm.)    2 = MEDIUM (CA. 8 mm.) 3 = LONG (CA. 9 mm.)	<input type="checkbox"/> 2	Width: 1 = NARROW (CA. 3 mm.)    2 = MEDIUM (CA. 3.5 mm.) 3 = WIDE (CA. 4 mm.)
<input type="checkbox"/> 4	Shoulder: 1 = WANTING    2 = OBLIQUE    3 = ROUNDED shape: 4 = SQUARE    5 = ELEVATED    6 = APICULATE	<input type="checkbox"/> 3	Beak: 1 = OBTUSE    2 = ACUTE    3 = ACUMINATE

## 13. COLEOPTILE COLOR:

☐ 1 = WHITE    2 = RED    3 = PURPLE

## 14. SEEDLING ANTHOCYANIN:

☐ 1 = ABSENT    2 = PRESENT

## 15. JUVENILE PLANT GROWTH HABIT:

☐ 3    1 = PROSTRATE    2 = SEMI-ERECT    3 = ERECT

## 16. SEED:

<input type="checkbox"/> 1	Shape: 1 = OVATE    2 = OVAL    3 = ELLIPTICAL	<input type="checkbox"/> 1	Check: 1 = ROUNDED    2 = ANGULAR					
<input type="checkbox"/> 1	Brush: 1 = SHORT    2 = MEDIUM    3 = LONG	<input type="checkbox"/> 1	Brush: 1 = NOT COLLARED    2 = COLLARED					
<input type="checkbox"/>	Phenol reaction (See instructions): 1 = IVORY    2 = FAWN    3 = LT. BROWN 4 = BROWN    5 = BLACK							
<input type="checkbox"/> 1	Color: 1 = WHITE    2 = AMBER    3 = RED    4 = PURPLE    5 = OTHER (Specify) _____							
<input type="checkbox"/> 0	<input type="checkbox"/> 8	MM. LENGTH	<input type="checkbox"/> 0	<input type="checkbox"/> 3	MM. WIDTH	<input type="checkbox"/> 3	<input type="checkbox"/> 5	GM. PER 1000 SEEDS

## 17. SEED CREASE:

<input type="checkbox"/> 1	Width: 1 = 60% OR LESS OF KERNEL 'WINOKA' 2 = 80% OR LESS OF KERNEL 'CHRIS' 3 = NEARLY AS WIDE AS KERNEL 'LEMH'	<input type="checkbox"/> 3	Depth: 1 = 20% OR LESS OF KERNEL 'SCOUT' 2 = 35% OR LESS OF KERNEL 'CHRIS' 3 = 50% OR LESS OF KERNEL 'LEMH'
----------------------------	---	----------------------------	---

## 18. DISEASE: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

<input type="checkbox"/> 1	STEM RUST (Races)	<input type="checkbox"/> 1	LEAF RUST (Races)	<input type="checkbox"/> 2	STRIPE RUST (Races)	<input type="checkbox"/>	LOOSE SMUT
<input type="checkbox"/>	POWDERY MILDEW	<input type="checkbox"/>	BUNT	<input type="checkbox"/>	OTHER (Specify) _____		

## 19. INSECT: (0 = Not Tested, 1 = Susceptible, 2 = Resistant)

<input type="checkbox"/>	SAWFLY	<input type="checkbox"/>	APHID (Bydv.)	<input type="checkbox"/>	GREEN BUG	<input type="checkbox"/>	CEREAL LEAF BEETLE
<input type="checkbox"/>	OTHER (Specify) _____	<input type="checkbox"/>	HESSIAN FLY	<input type="checkbox"/>	GP	<input type="checkbox"/>	A
Moderately resistant to Idaho strains of Hessian fly		<input type="checkbox"/>	RACES:	<input type="checkbox"/>	D	<input type="checkbox"/>	E
		<input type="checkbox"/>		<input type="checkbox"/>	F	<input type="checkbox"/>	C

## 20. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED:

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant tillering	Centennial	Seed size	
Leaf size	centennial	Seed shape	
Leaf color	"	Coleoptile elongation	
Leaf carriage		Seedling pigmentation	

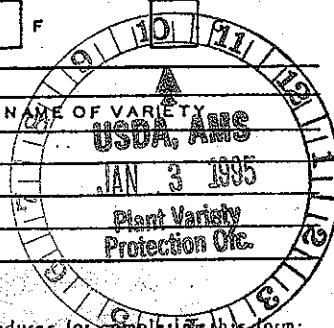
## INSTRUCTIONS

GENERAL: The following publications may be used as a reference aid for the standardization of terms and procedures for completing this form:

(a) L.W. Briggie and L. P. Reitz, 1963, Classification of Triticum Species and Wheat Varieties Grown in the United States, Technical Bulletin 1278, United States Department of Agriculture.

(b) W.E. Walls, 1965, A Standardized Phenol Method for Testing Wheat Seeds for Varietal Purity, contribution No. 28 to the handbook of seed testing prepared by the Association of Official Seed Analysts. (See attachment.)

LEAF COLOR: Nickerson's or any recognized color fan should be used to determine the leaf color of the described variety.



14 C. Objective description of the variety.

Sunstar Promise is very similar to Centennial in appearance. It is similar in height and is one day later in maturity. It has a slightly weaker straw than Centennial and has shown very light shattering, approximately 1 percent, when ripe and subjected to stormy, windy conditions.

Sunstar Promise is resistant to stripe rust, susceptible to leaf rust and moderately resistant to Idaho races of Hessian fly.

Seed of Sunstar Promise is ovate in shape and has averaged slightly longer and slightly thinner than seeds of Penawawa and Centennial.

In the 10 station-year averages for yield Sunstar Promise has produced a yield similar to those of Penawawa and Centennial. Seed test weight has been slightly lower than that of Centennial.

The superior pastry quality of Sunstar Promise is the major reason for releasing the variety. It has had an average seed and flour protein content that is lower than Penawawa and Centennial, better milling quality ie. a higher flour yield and has produced cookies with a larger diameter.



Agronomic and Quality data obtained on soft white spring wheat grown in the irrigated nurseries during the years 1991-94.

Researcher Variety	Sunderman				Souza				Sun.				YIELD Robertson				Souza		3-Stat. Ave.		4-Stat. Ave.		10 Staton Average	
	1991		1992		1993		1994		1993		1994		1994		1994		1992		1993		1994		1991-94	
Sunstar Promise*	88.0	70.3	128.6	124.3	90.0	135.6	120.5	171.8	132.9	70.5								128.0	104.2				113.3	
Penawawa	83.0	66.8	109.2	128.9	92.7	130.7	113.1	200.0	113.1	87.2								117.1	106.0				112.5	
Centennial	97.0	65.7	107.4	112.4	102.3	138.6	126.1	171.2	117.0	80.5								112.3	111.9				111.8	
Alpowa						150.3	125.1																	
	Test Weight																							
Sunstar Promise	61.3	60.8	60.7	60.2	61.1	61.7	59.2	61.3	60.7	56.5													60.4	
Penawawa	60.7	59.3	60.7	61.6	61.1	59.8	59.8	61.8	60.9	61.0													60.7	
Centennial	61.7	61.0	61.0	61.8	61.3	62.9	61.3	62.5	62.1	59.8													61.5	
Alpowa						64.9	61.2																	

\* Sunstar Promise was tested under SDM 406 for the years shown

Variety	Date Headed				Height				Straw Strength				Average 1-5
	91	92	93	Ave.	91	92	93	Average	91	92	93	Average	
	T.F.	Ab.	T.F.	Ab.	T.F.	Ab.	T.F.	Ab.	T.F.	Ab.	T.F.	Ab.	
Sunstar Promise	12	9	1	33	18	15	29	39	32	38	32	34	2.9
Penawawa	15	14	3	34	19	17	24	39	26	36	34	30	2.6
Centennial	12	8	1	32	18	14	30	36	29	36	31	32	2.5

Variety	Flour Protein %				Flour Yield %				Cookie Diameter cm			
	1991	1993	1993	Reg.	1992	1993	1993	Reg.	1992	1993	1993	Reg.
	T.F.	T.F.	T.F.	Reg.	T.F.	T.F.	T.F.	Reg.	T.F.	T.F.	T.F.	Reg.
Sunstar Promise	11.8	8.5	7.9		68.8	67.7	70.2		8.4	8.87	9.02	
Penawawa			8.6				69.2				8.74	
Centennial	12.0	9.7			69.1	66.0			8.53	8.68		

## 14 E Statement of basis of Applicants ownership

Sunstar Promise resulted from the bulk of an  $F_3$  line from one of a number of crosses made in his home garden in 1987. Although the progeny of a number of crosses were bulked, Sunstar Promise is thought to have been derived from the cross of Centennial with Owens based on the pattern of glutenin alleles of the parents and Sunstar Promise. The initial cross, subsequent selection and testing was done by Donald Sunderman or under his supervision.

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

EXHIBIT E  
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S)  Sunderman Breeding Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER	3. VARIETY NAME  Sunstar Promise
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country)  3754 North 2700 East Twin Falls ID 83301		5. TELEPHONE (include area code)  208 733 0902	6. FAX (include area code)
		7. PVPO NUMBER  PVP Ap. No. 9500069	
8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.  <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. Is the applicant (individual or company) a U.S. national or U.S. based company? If no, give name of country <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
10. Is the applicant the original owner? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If no, please answer the following:			
a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)? <input type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
b. If original rights to variety were owned by a company, is the original owner(s) a U.S. based company? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If no, give name of country			
11. Additional explanation on ownership (If needed, use reverse for extra space):			

## PLEASE NOTE:

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

- If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
- If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
- If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-5881 (voice) or (202) 720-7808 (TDD). To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.